

**IN THE UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MISSOURI  
SOUTHEASTERN DIVISION**

UNITED STATES OF AMERICA,	)	
	)	
Plaintiff,	)	
	)	
vs.	)	Case No. 1:19CR00145 SNLJ
	)	
GINO WELLS,	)	
	)	
Defendant.	)	

**OBJECTIONS TO PRESENTENCE REPORT AND  
LEAVE TO FILE OUT OF TIME**

COMES NOW, Defendant, by and through his attorney and objects to the presentence report as follows:

1. Defendant objects to paragraph 25. Defendant did not know about the heroin found and the charges regarding the heroin were dismissed by the government. This objection does not affect the offense level;
2. Defendant objects to paragraph 25. Defendant was only expecting to receive 3 pounds of methamphetamine. The offense level is based upon 11 pounds of methamphetamine. The base offense level for 3 pounds of methamphetamine would be a level 30 (1.361 kg). The total offense level would be 27, which would bring the guidelines recommended sentence to 78-97 months;
3. Defendant objects to paragraph 45. The PSR mentions marijuana gun shells and marijuana found during a search. The search was completely unrelated to Defendant. The items found during the search, other than the video tape, had nothing to do with Defendant;

4. Defendant objects to 49, more specifically any mention of Defendant being in possession of a shotgun. Defendant was never cited for possessing a shotgun. Defendant was cited with associating with an individual who was on probation. That individual possessed a shotgun, which Defendant knew nothing about. It should be noted that this allegation resulted in a field violation and did not result in any court action.

WHEREFORE, counsel requests this Court sustain his objections, grant a hearing in this matter, accept these objections out of time, and for such additional relief as this Court deems in the interests of justice.

RESPECTFULLY SUBMITTED,

***/s/ Jacob Zimmerman***

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**Certificate of Service**

Comes now the undersigned and certifies that a true and accurate copy of the foregoing was served on all parties by function of this Court's E-file system on this 7th day of July, 2021.

***/s/ Jacob Zimmerman***

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Jacob Zimmerman